

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

TEXAS MEDICAL ASSOCIATION, et
al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES,
et al.,

Defendants.

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Case No. 6:22-cv-372-JDK
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Lead Consolidated Case
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ORDER DENYING MOTION TO STRIKE AMENDED COMPLAINT

Before the Court is Defendants' motion to strike the Amended Complaint of Plaintiffs LifeNet, Inc. and East Texas Air One, LLC (Docket No. 81). In their motion, Defendants argue that Plaintiffs' Amended Complaint is procedurally invalid under Federal Rule of Civil Procedure 15 and prejudices Defendants. Specifically, Defendants argue that they need to investigate East Texas Air One's standing.


In response, Plaintiffs explain that the only substantive change in the Amended Complaint is to add East Texas Air One as a plaintiff, offer to separately brief any discrete issues raised by adding East Texas Air One as a party, and alternatively seek leave to amend their complaint. Docket No. 84.

The Court **DENIES** Defendants' motion to strike (Docket No. 81) and, to the extent necessary, **GRANTS** Plaintiffs' motion for leave to amend (Docket No. 84). Plaintiffs' Amended Complaint is accepted as filed (Docket No. 64). The Court finds

that allowing supplemental briefing on any issues raised by East Texas Air One's participation in this case sufficiently cures any prejudice to Defendants. Accordingly, the parties are **ORDERED** to meet and confer and file a proposed briefing schedule on any new issues raised by the Amended Complaint by **December 23, 2022**.

So ordered and signed on this

Dec 20, 2022


JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE